

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

THE PROCTER & GAMBLE COMPANY	:	Case No. 1:08-CV-565
Plaintiff,	:	Hon. Thomas M. Rose
vs.	:	AGREED MOTION TO ENTER
	:	PROVISIONAL PROTECTIVE ORDER
RNA CORPORATION	:	
Defendant.	:	

RNA Corporation (“RNA”), by and through its counsel, hereby moves this Court for entry of a stipulated provisional protective order, and in support thereof, states as follows:

1. On or about September 18, 2008, The Procter & Gamble Company (“P&G”) served document requests and a Rule 30(b)(6) deposition notice on RNA pertaining to whether this Court maintains jurisdiction over RNA.

2. In response to P&G’s document requests, RNA produced documents to P&G that contain financial information pertaining to its sales revenues and certain costs and expenditures, with the joint understanding with P&G that any and all financial information pertaining to RNA would remain confidential and would not be disclosed beyond P&G and its counsel.

3. On October 16, 2008, RNA produced Mr. John Harms, RNA’s Director of Sales and Marketing, for deposition pursuant to Rule 30(b)(6), and Mr. Harms provided additional confidential financial information pertaining to RNA’s business, which the parties agreed at the deposition would also remain confidential.

4. By agreement, the parties seek entry of an order for the limited purpose of allowing the parties to file documents that contain any of the above referenced information, in their briefs on RNA’s Motion to Dismiss for Lack of Jurisdiction, under seal. A proposed

Stipulated Provisional Protective Order has been e-mailed to the chambers of the Judge Thomas M. Rose, judicial officer presiding over the case, for the judge's review and signature pursuant to Local Rule 79.3.

5. If RNA's Motion to Dismiss is denied, the parties anticipate that this Court will enter a permanent protective order which will supersede this one.

WHEREFORE, the parties respectfully request this Court enter the proposed provisional protective order and for all other just and proper relief.

Dated: October 21, 2008

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